



April 3, 2019

**Via ECF**

The Honorable Richard F. Boulware, II  
Lloyd D. George Federal Courthouse  
333 Las Vegas Blvd. South  
Las Vegas, NV 89101

**Re: Notice Regarding Proposed Witness Ordering for Evidentiary Hearing**

Dear Judge Boulware:

Subsequent to this Court's Order setting the evidentiary hearing for August 26-30 and September 12-13, ECF No. 653, Plaintiffs and Defendant Zuffa, LLC ("Zuffa," together with Plaintiffs, the "Parties") have met and conferred regarding the proposed order for the witnesses testifying at the evidentiary hearing and re-confirmed the Parties' previous agreement regarding the structure and length of the examinations (as set out in the Parties' joint letter to the Court dated January 18, 2019, ECF No. 638). Barring any changes preferred by the Court, the Parties reconfirm their joint proposal for the following format, order, and time limits for the evidentiary hearing:

**Format**

For each expert pairing, the Parties propose the following format:

Plaintiffs' Expert Direct  
Plaintiffs' Expert Cross  
Plaintiffs' Expert Redirect

Zuffa's Expert Direct  
Zuffa's Expert Cross  
Zuffa's Expert Redirect

Plaintiffs' Expert Rebuttal Direct  
Plaintiffs' Expert Rebuttal Cross  
Plaintiffs' Expert Rebuttal Redirect



### Order of Witnesses

The parties propose the following order of witnesses at the evidentiary hearing:

- **Monday, August 26-Wednesday August 28:** Singer/Topel. The parties only anticipate needing half a day on Wednesday, August 28.
- **Thursday, August 29:** Joe Silva
- **Friday, August 30:** Zimbalist/Blair
- **Thursday, September 12:** Manning/Oyer. The parties anticipate finishing Professors Manning and Oyer's testimony on September 12.

### Length of Examinations

The parties have agreed to time limits for each of the examinations. For each of the below time allotments, all time that a Party's lawyer spends on direct or re-direct examination of its own expert *or* cross examination of the opposing expert counts against that Party's time allocation. The Court would have the opportunity to question the witnesses at its discretion without affecting the Parties' time allocations. Further, should the Court wish, each expert will be available to answer questions during the testimony of his counterpart (*e.g.*, Dr. Singer will be available to answer questions during Prof. Topel's testimony and *vice versa*).

Singer/Topel:	6.5 hours per side
Joe Silva:	1.75 hour per side
Zimbalist/Blair:	2.5 hours per side
Manning/Oyer	2.25 hours per side

### Court-Appointed Expert

Pursuant to this Court's direction at the February 1 hearing, the Parties have also been actively engaged in jointly reaching out to economists to potentially serve as experts under Federal Rule of Evidence 706 in this case. The Parties anticipate being able to submit their list of six names (three per side) before April 12, 2019. The Parties intend to file this submission discussing the FRE 706

**BSF**

experts under seal so that the expert ultimately picked does not know which party was the sponsor of that expert.

Respectfully,

Eric L. Cramer & William A. Isaacson  
*Attorneys for Plaintiffs and Defendant Zuffa, LLC*